

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

-against-

RICHARD XIA, a/k/a YI XIA; and  
FLEET NEW YORK METROPOLITAN REGIONAL  
CENTER, LLC, f/k/a FEDERAL NEW YORK  
METROPOLITAN REGIONAL CENTER, LLC;

Defendants,

-and-

JULIA YUE, a/k/a JIQING YUE,

Relief Defendant.

21 Civ. 5350 (PKC)

**[PROPOSED] ORDER APPROVING THE MONITOR'S  
SECOND MOTION FOR APPROVAL OF RELEASE OF  
FUNDS FOR CONTINUED INSURANCE COVERAGE**

Upon the Second Motion for Approval of Release of Funds for Insurance Coverage (the “Motion”) of M. Scott Peeler, a partner at ArentFox Schiff LLP and the duly appointed Monitor in this action (the “Monitor”), for entry of an order, (i) directing Richard Xia (“Xia”), on behalf of X&Y Development Group (“X&Y”), for the Eastern Mirage Project, to sign pages 4, 8, 14, and 16 of Exhibit A to extend the Commercial General Liability (“CGL”) policy, no later than five (5) business days from the date of the Order, in the amounts of One Million Dollars (\$1,000,000) each Occurrence, Two Million Dollars (\$2,000,000) general aggregate limit, issued by Peleus Insurance Company for a premium of \$82,869.87 for one year of coverage, paid to

Atlantic Coast Risk Services; (ii) directing Xia, on behalf of X&Y, for the Eastern Mirage Project, to sign pages 4, 10, and 13 of Exhibit B to extend the Excess Liability Policy, no later than five (5) business days from the date of the Order, in the amounts of Five Million Dollars (\$5,000,000) each Occurrence, and Five Million Dollars (\$5,000,000) annual aggregate limit, issued by StarStone National Insurance Company for a premium of \$38,594.77 for one year of coverage, paid to Atlantic Coast Risk Services; (iii) directing Xia, on behalf of Eastern Emerald Group, LLC (“EEG”) for the Eastern Emerald Project, to sign pages 4, 8, 14 and 22 of Exhibit C to extend the CGL policy, no later than five (5) business days from the date of the Order, in the amounts of One Million Dollars (\$1,000,000) each Occurrence, Two Million Dollars (\$2,000,000) general aggregate limit, issued by Peleus Insurance Company for a premium of \$39,812.50 for one year of coverage, paid to Atlantic Coast Risk Services; (iv) directing Xia, on behalf of EEG, for the Eastern Emerald Project, to sign pages 4 and 10 of Exhibit D to extend the Excess Liability Policy, no later than five (5) business days from the date of the Order, in the amounts of Five Million Dollars (\$5,000,000) each Occurrence, and Five Million Dollars (\$5,000,000) annual aggregate limit, issued by StarStone National Insurance Company with a premium of \$10,378.00 for one year of coverage, paid to Atlantic Coast Risk Services; (v) directing Defendants to have X&Y pay \$121,464.64, the funds required to satisfy all premiums due for one year, to Atlantic Coast Risk Services via check mailed to 31-17A Ditmars Blvd, Astoria, NY 11105 from Defendants’ Eastern Emerald Group LLC account, ending in 9799, or other Xia Entity account(s) if additional funds are needed within five (5) business days from the date of the Order and provide contemporaneous proof of payment to the Court, SEC, and the Monitor; (vi) directing Defendants to have EEG pay \$50,190.50, the funds required to satisfy all premiums due for one year, to Atlantic Coast Risk Services via check mailed to 31-17A Ditmars Blvd, Astoria, NY 11105 from Defendants’ Eastern

Emerald Group LLC account, ending in 9799 , or other Xia Entity account(s) if additional funds are needed within five (5) business days from the date of the Order and provide contemporaneous proof of payment to the Court, SEC, and the Monitor; (vii) directing CTBC to release, solely for the purpose of paying premiums to insurers of the above-named policies, funds from Defendants' Eastern Emerald Group LLC account ending in 9799, or other Xia Entity account(s) if additional funds are needed for \$171,655.14, the combined amount of the insurance premiums.

**NOW, THEREFORE**, based upon the Motion and all of the proceedings before this Court, and after due deliberation and sufficient cause appearing therefore, and no objection to the Monitor's Motion having been raised, it is hereby:

**ORDERED** that the Monitor's Second Motion directing Defendants to have X&Y extend a CGL policy issued by Peleus Insurance Company in the amounts of One Million Dollars (\$1,000,000) each Occurrence, Two Million Dollars (\$2,000,000) general aggregate limit, and to then to pay Atlantic Coast Risk Services \$82,869.87 to satisfy one year of coverage with funds paid from Defendants' Eastern Emerald Group LLC account, ending in 9799, or other Xia Entity account(s) if additional funds are needed within five (5) business days of this Order and provide contemporaneous proof of payment to the Court, SEC, and the Monitor; and it is further

**ORDERED** that the Monitor's Motion that directing Defendants to have X&Y extend an Excess Liability policy issued by StarStone National Insurance Company in the amounts of Five Million Dollars (\$5,000,000) each Occurrence, and Five Million Dollars (\$5,000,000) annual aggregate limit, and to then to pay Atlantic Coast Risk Services \$38,594.77 to satisfy one year of coverage with funds paid from Defendants' Eastern Emerald Group LLC account, ending in 9799, or other Xia Entity account(s) if additional funds are needed within five (5) business days of this Order and provide contemporaneous proof of payment to the Court, SEC, and the Monitor; and it

is further

**ORDERED** that the Monitor's Motion that directing Defendants to have EEG extend a CGL Policy issued by Peleus Insurance Company in the amounts of One Million Dollars (\$1,000,000) each Occurrence, Two Million Dollars (\$2,000,000) general aggregate limit, and to then to pay Atlantic Coast Risk Services \$39,812.50 to satisfy the one year of coverage with funds paid from Defendants' Eastern Emerald Group LLC account, ending in 9799, or other Xia Entity account(s) if additional funds are needed within five (5) business days of this Order and provide contemporaneous proof of payment to the Court, SEC, and the Monitor; and it is further

**ORDERED** that the Monitor's Motion that directing Defendants to have EEG extend an Excess Liability Policy issued by StarStone National Insurance Company in the amounts of Five Million Dollars (\$5,000,000) each Occurrence, and Five Million Dollars (\$5,000,000) annual aggregate limit, and to then to pay Atlantic Coast Risk Services \$10,378.00 to satisfy the one year of coverage with funds paid from Defendants' Eastern Emerald Group LLC account, ending in 9799, or other Xia Entity account(s) if additional funds are needed within five (5) business days of this Order and provide contemporaneous proof of payment to the Court, SEC, and the Monitor; and it is further

**ORDERED** that Defendants' failure to comply with any of the foregoing provisions of this Order could result in a finding of contempt and/or sanctions; and it is further

**ORDERED** that CTBC shall release, solely for the purpose of paying premiums to insurers of the above-named policies, funds from Defendants' Eastern Emerald Group LLC account ending in 9799, or other Xia Entity account(s) if additional funds are needed for \$171,655.14 the combined amount of the insurance premiums.

**ORDERED** that the Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

**SO ORDERED**, this \_\_\_\_ day \_\_\_\_\_, 2023.

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Pamela K. Chen  
United States District Court Judge